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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/521,335	03/09/2000	Birgit Oppmann	DX0935K	2729

28008 7590 11/29/2002

DNAX RESEARCH, INC.
LEGAL DEPARTMENT
901 CALIFORNIA AVENUE
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EXAMINER

HAYES, ROBERT CLINTON

ART UNIT	PAPER NUMBER
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1647

DATE MAILED: 11/29/2002

11

Please find below and/or attached an Office communication concerning this application or proceeding.



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Please find below a communication from the EXAMINER in charge of this application

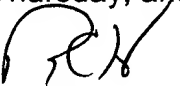
Commissioner of Patents


The reply filed on **09/17/02** remains not fully responsive to the communications of **07/02/02** (paper #9) and the prior Office action of **07/03/01** (paper #7). In contrast to Applicants' arguments on page 2 of the **09/17/02** response, Applicants have again failed to elect a single SEQ ID NO encoding a single SEQ ID NO (i.e., two SEQ ID NOs that make a single heterodimeric cytokine) for elected Group VI. In other words, as indicated on 9/3/02, one SEQ ID NO for IL-B60 is required that forms a heterodimer with one SEQ ID NO for CLF-1 (i.e., human vs murine sequences). Note that this is a restriction requirement and not a species election, as indicated in paper # 7.

Second, Applicants have failed to amend the specification on pages 4-7, 10-15, 18, 23-24, 35-36, 38, 43, 49, and the bottom of pg. 83 to indicate whether human or murine sequences are being described, and whether these sequences are IL-B60 or CLF-1 sequences, etc., in accordance with 37 CFR 1.821 (a)(2)(d) previously made of record, which states that each sequence disclosed must appear separately in the "Sequence listing", and referenced appropriately *in the text of the description* and the claims. See MPEP 2422 & 2431. See also MPEP 714.03 and 821.03.

Since the above-mentioned reply is **NOT** a *bona fide* response, this application will become abandoned unless applicant corrects the deficiency. Applicant is then given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment under 37 CFR 1.821(g). A fully responsive reply must be timely filed to avoid abandonment of this application under 37 CFR 1.135(c).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Robert Hayes (Art Unit 1647) whose telephone number is (703) 305-3132. The examiner can normally be reached on Monday through Thursday, and alternate Fridays from 8:30 AM to 5:00 PM.


Robert C. Hayes, Ph.D.
November 26, 2002


GARY KUNZ
SUPERVISORY PATENT EXAMINER
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